

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF NEW YORK**

**JUDGMENT IN A CIVIL CASE**

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**JOANNE KINNER**

VS.

**CASE NUMBER: 1:08-CV-1240  
(NAM/VEB)**

**COMMISSIONER OF SOCIAL SECURITY**

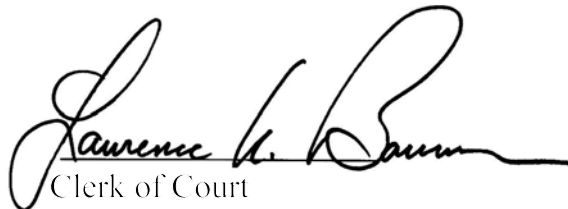
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**Decision by Court.** This action came to trial or hearing before the Court. The issues have been tried or heard and a decision has been rendered.

**IT IS ORDERED AND ADJUDGED** that the Report and Recommendation of Magistrate Judge Victor E. Bianchini is hereby adopted in its entirety. The Commissioner's Motion for Judgment on the pleadings is DENIED, the decision of the Commissioner is REVERSED and the case is REMANDED to the Commissioner for further administrative proceedings in accordance with Sentence 4 of 42 U.S.C. § 405(g).

All of the above pursuant to the Order of the Honorable Chief United States District Judge Norman A. Mordue, dated the 19<sup>th</sup> day of February, 2010.

DATED: February 19, 2010



Clerk of Court

s/ Melissa Ennis  
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Melissa Ennis  
Deputy Clerk